

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

STATE OF DELAWARE,)	
)	
v.)	ID Nos.: 1905003799
)	2110006026
JAMES HARRINGTON,)	
)	
Defendant.)	

ORDER

This 20th day of July, 2023, upon consideration of Defendant, James Harrington's ("Defendant") Motions for Credit for Time Served,¹ Defendant's Motions for Modification of Sentence,² the sentence imposed upon Defendant, and the record in this case, it appears to the Court that:

1. On January 24, 2023, Defendant was found in violation of the terms of his probation and sentenced to one year at Level V, suspended for nine months at Level IV Work Release, followed by one year at Level I Restitution Only.³

2. On February 22, 2023, and April 12, 2023, Defendant filed Motions requesting the Court to order the Department of Corrections ("DOC") to amend Defendant's DOC status sheet to reflect the effective date of the Court's sentencing order: November 8, 2022.⁴

¹ Feb. 22, 2023 Mot. for Credit (D.I. 19, ID No. 1905003799), (D.I. 22, ID No. 2110006026); Apr. 12, 2023 Mot. for Credit (D.I. 20, ID No. 1905003799) ("Credit Mots.")

² Apr. 17, 2023 Mot. for Modification (D.I. 23, ID No. 2110006026); Apr. 26, 2023 Mot. for Modification (D.I. 21, ID No. 1905003799), (D.I. 24, ID No. 2110006026) ("Modification Mots.").

³ (D.I. 18, ID No. 1905003799), (D.I. 21, ID No. 2110006026).

⁴ See Credit Mots.

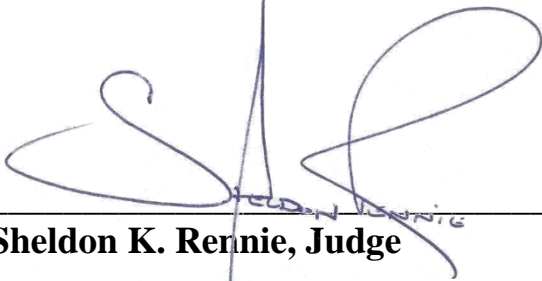
3. On April 17, 2023 and April 26, 2023, Defendant filed Motions for modification of the remainder of his Level IV sentence to Level III.⁵

4. On July 7, 2023, DOC issued a progress report for Defendant which shows that DOC records were corrected to reflect the November 8, 2022 effective date, and that Defendant completed his Level IV Work Release sentence on June 24, 2023.⁶ Defendant is currently serving the Level I Restitution Only portion of his sentence.⁷

5. Because DOC corrected their records, and because the Level IV portion of Defendant's sentence has already expired, the Court cannot issue an order that would further provide the relief Defendant requested in his Motions.

For the foregoing reasons, the Defendant's Motions for Credit for Time Served and Motions for Modification of Sentence are **MOOT** and are hereby **SUMMARILY DISMISSED**.

IT IS SO ORDERED.



Sheldon K. Rennie, Judge

Original to Prothonotary
Cc: James Harrington (SBI #00913288)

⁵ See Modification Mots.

⁶ Jul. 7, 2023 Progress Report 801959.

⁷ *Id.*